

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Shell Equipment Company, Inc.,
Shell Energy Company, Inc.,
Shell Mining Company, Inc.,
Frank Joseph Staud, and Jennifer Staud,
Plaintiffs**

vs. Civil Action No. 14-C-143-2 (Harrison County)

**McNeer, Highland, McMunn and
Varner, L.C., a West Virginia legal corporation,
Defendant**

The Honorable Thomas A. Bedell, Judge of the Fifteenth Judicial Circuit, has advised the Chief Justice of the Supreme Court of Appeals that Plaintiffs Shell Equipment Company, Inc., Shell Energy Company, Inc., Shell Mining Company, Inc., Frank Joseph Staud, and Jennifer Staud, by counsel, Gregory H. Schillace and the Schillace Law Office, has filed a motion to refer the above-styled case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). A response in support of the motion to refer was filed by Defendant McNeer, Highland, McMunn and Varner, L.C., by counsel, Michael J. Farrell, Alexander L. Turner, and the law firm of Farrell, White & Legg PLLC. Judge Bedell filed a response indicating that he did not oppose referral.

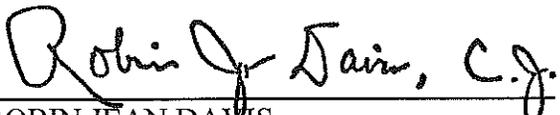
Upon careful review and consideration of the motion and the reply memoranda, the Chief Justice has determined that the principal claims in the action are between business entities as required by Trial Court Rule 29.04(a)(1), that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by Trial Court Rule 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this case to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that any members of the Business Court Division assigned to this matter by Judge Wilkes are authorized pursuant to Article VIII § 3 of the West Virginia Constitution and TCR 29.07(b) to preside over the above-styled case in Harrison County.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; to the Honorable Thomas A. Bedell; and to the Clerk of the Circuit Court of Harrison County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: JUNE 11, 2014


ROBIN JEAN DAVIS
Chief Justice